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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSH STEPHEN GONSALVES,

Defendant and Appellant.

F065530

(Super. Ct. No. 1445186)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Stanislaus County. Nancy E. Ashley, Judge.

Susan K. Shaler, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

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* Before Gomes, Acting P.J., Poochigian, J. and Franson, J.

Pursuant to a plea agreement, appellant, Josh Stephen Gonsalves, pleaded no contest to attempted grand theft (Pen. Code, §§ 487, subd. (c), 664; count 1) and possession of a firearm by a felon (Pen. Code, § 29800, subd. (a); count 3), and admitted an enhancement allegation that he had served a prison term for a prior felony conviction (Pen. Code, § 667.5, subd. (b)). Consistent with the plea agreement, the court imposed a prison sentence of three years, consisting of the two-year midterm on count 3, and one year on the prior prison term enhancement. The court imposed a concurrent one-year term on count 1.

Appellant filed a timely notice of appeal. Appellant also requested a certificate of probable cause (Pen. Code, § 1237.5). The court granted that request.

Appellant's appointed appellate counsel has filed an opening brief which summarizes the pertinent facts, with citations to the record, raises no issues, and asks that this court independently review the record. (*People v. Wende* (1979) 25 Cal.3d 436.) Appellant has not responded to this court's invitation to submit additional briefing. We affirm.

FACTS

At the time of appellant's pleas, the prosecutor, in stating the factual basis for those pleas, stated the following: On May 22, 2012, appellant unsuccessfully "attempted to take property from the person of Sean Vernon." When appellant was arrested for that offense, "he was found to have control over a firearm." In 2009, appellant had suffered a felony conviction of burglary.

DISCUSSION

In his notice of appeal, appellant asserts he was not "in [his] right state of mind" at the time of his plea because he "wasn't taking [his] meds." Nothing in the record, including the transcript of the plea proceeding, supports this claim.

Following independent review of the record, we have concluded that no reasonably arguable legal or factual issues exist.

DISPOSITION

The judgment is affirmed.